United Nations S/2009/102

Security Council

Distr.: General
20 February 2009

Original: English

Report of the Secretary-General pursuant to paragraph 6 of resolution 1830 (2008)

I. Introduction

1. In paragraph 6 of its resolution 1830 (2008), the Security Council requested the Secretary-General to report to the Council on a quarterly basis on the fulfilment of the responsibilities of the United Nations Assistance Mission for Iraq (UNAMI). The present report is the second submitted pursuant to that resolution.

2. The report provides an update on United Nations activities in Iraq since the previous report (S/2008/688), dated 6 November 2008. It presents a summary of key political developments during the period under review, as well as regional and international events concerning Iraq. The report also provides an update on the activities of my Special Representative for Iraq and of UNAMI.

II. Summary of key political and security developments in Iraq

3. Iraq took a significant step forward with the provincial elections held on 31 January 2009 in 14 out of Iraq's 18 governorates, marking the successful culmination of months of political activity and security preparations, as well as extensive technical and logistical electoral preparations undertaken by the Independent High Electoral Commission. Electoral procedures appear to have been widely followed and the voter turnout, estimated at 51 per cent was encouraging, in particular among the Sunni population, which had largely boycotted the previous provincial elections in January 2005. Another positive development was the implementation of a robust national security plan throughout the electoral period, allowing Iraqis to cast their vote with confidence. The period was generally marked with very low levels of violence, especially on the actual day of the elections when hardly any incidents were reported (compared to over 80 serious security incidents on the election day in January 2005). This highlighted the increasing improvement in the capability of the Iraqi Security Forces over recent months. However, in the weeks prior to the elections, some disturbing acts of violence were committed, including the assassination of five candidates, attacks against some Iraqi dignitaries and political activists, and reported acts of intimidation of staff of the Electoral Commission.

4. I paid my second visit to Iraq on 6 February to commend the Iraqi people, the Government of Iraq and the Independent High Electoral Commission on the

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successful conduct of the governorate elections, and I offered the continued support of the United Nations. In meetings with President Jalal Talabani, Prime Minister Nuri al-Maliki and Vice-Presidents Tariq al-Hashemi and Abdul Mahdi, we discussed the need to solidify the recent security gains demonstrated by the conduct of the elections in an environment largely free of violence. I also encouraged Iraqi leaders to seize this opportunity and continue to work together to build an inclusive and representative political process and resolve long-standing disagreements over the future of the Iraqi State and its resources.

5. I also met the Chairman of the Independent High Electoral Commission, Faraj al-Haideri, to congratulate him on the Commission's successful handling of the elections and to assure him of continued UNAMI support for the future. During my meetings with the Ambassador of the United States of America to Iraq, Ryan Crocker, and the Commanding General of the multinational force in Iraq, Ray Odierno, we addressed the changing security posture in the country with the increased transfer of control to the Iraqi Security Forces, the elections being the first testament of their effectiveness. Last but not least, I also met with United Nations staff stationed in Baghdad.

6. The Council of Representatives approved the final draft of the United States-Iraq bilateral security agreement on 27 November. The agreement places United States forces under the authority and jurisdictional purview of the Government of Iraq and includes a timeline for their withdrawal from Iraq by December 2011. The Council of Representatives also voted on 23 December to authorize the Government to allow non-United States forces to remain in Iraq until 31 July 2009. The implementation phase of the security agreement commenced on 1 January and to date the handover process, which includes the transfer of control of Baghdad's International Zone, has proceeded without major incident.

III. Activities of the United Nations Assistance Mission for Iraq

A. Political activities

7. Throughout the reporting period, which followed the passing of the provincial elections law in September 2008, the activities of my Special Representative and UNAMI focused mainly on supporting the Independent High Electoral Commission in preparing for the elections on 31 January.

8. Another priority area of activity for UNAMI has been to continue working on Iraq's disputed internal boundaries. In this connection, the mission has been working with a parliamentary committee set up according to article 23 of the provincial elections law. The committee was tasked by the Council of Representatives to (a) determine a power-sharing formula before provincial elections are held in the Kirkuk Governorate; (b) assess the issue of property disputes before and after 9 April 2003; and (c) consider demographic issues with the technical assistance of the United Nations. Subsequently, the Speaker of the Parliament wrote to my Special Representative reiterating the request for UNAMI to support the work of the Committee.

9. In December 2008, my Special Representative visited Kirkuk in order to see first-hand the situation in the Kirkuk Governorate and hear suggestions from local

political and civil society leaders on the way forward. He thereafter met the members of the committee considering article 23 of the provincial elections law in Baghdad and informed them of the expectations and the willingness of local communities in Kirkuk to work towards finding a solution. He further encouraged the committee to commence their work and offered UNAMI's assistance in technical expertise and secretariat support in cases of disagreement. Subsequently, members of the committee formally requested UNAMI's assistance in order to complete their mandate. In response to that request, on 2 February UNAMI facilitated the first trip of the seven members of the committee to Kirkuk. Since that visit, the committee has begun to meet in Baghdad in the presence of UNAMI.

10. Preparation of the UNAMI's analytical report on disputed internal boundaries for presentation to the Government of Iraq continued throughout the period. As part of its comprehensive review of these areas, UNAMI continued to conduct field visits across relevant areas in the Governorates of Kirkuk, Salahaddin, Diyala and Ninawa to meet with interlocutors from central and local government, civil society and affected minority groups. Representatives from minority groups living in the areas in question were also received by the mission in Baghdad, where concerns relating to the provincial council elections were also discussed.

B. Regional dialogue

11. In accordance with its mandate, UNAMI continued to provide support to the Government of Iraq in its relations with neighbouring countries, in particular through support to the Ad hoc Support Mechanism Unit in the Ministry of Foreign Affairs. United Nations representatives attended two working group meetings, one on refugees in Amman on 15 November and the other on border security in Damascus on 22 and 23 November. Following my Special Representative's visit to the Islamic Republic of Iran in September 2008, Iraq and the Islamic Republic of Iran have also shown interest in working with UNAMI on a bilateral mine-clearance project in border areas. This has also led to the Prime Minister of Iraq ordering the formation of a joint committee, to include the Ministries of Defence, the Interior, the Environment and Foreign Affairs, to address this matter. In addition, the mission has continued to extend its support for implementation of the mandate of the High-level Coordinator for the repatriation or return of all Kuwaiti and third-country nationals or their remains and the return of all Kuwaiti property. UNAMI is working with Iraq and Kuwait to move the bilateral discussions forward, especially on pending issues related to the resumption of the Iraq-Kuwait boundary maintenance project.

12. A welcome development is that representation from the neighbouring countries is steadily increasing in Baghdad. Eight Arab countries, in addition to the League of Arab States and the Organization of the Islamic Conference, are now represented, including five at the ambassadorial level. During the reporting period, Prime Minister Al-Maliki paid visits to the Islamic Republic of Iran and Turkey to discuss cooperation. President Talabani attended the Arab Economic, Development and Social Summit in Kuwait on 19 and 20 January 2009 and had bilateral meetings with his Arab counterparts, including with the Emir of Kuwait about relations between the two countries.

13. The United Nations hopes that processes currently under way aimed at strengthening bilateral relations between Iraq and its neighbours will continue. It is

also hoped that all Member States in the region will re-establish full diplomatic relations with Iraq and work together in a spirit of common interest and mutual respect in order to foster regional stability.

C. Constitutional support activities

14. Following the report of the Constitutional Review Committee in July 2008, in which a number of issues that remained contested within the constitutional review process were outlined, UNAMI's Office of Constitutional Support identified federalism and hydrocarbon regulation as priority issues for resolution and for the country's long-term stability. To build on the impetus generated by the report, UNAMI hosted a round-table discussion on 24 and 25 November in Baghdad to discuss hydrocarbon management in the context of a federal system.

15. In order to build further momentum on these outstanding issues, and to support both national political reconciliation and economic development, two follow-up sessions to that discussion are planned before the 2009 summer parliamentary recess to assist in the identification of concrete and implementable solutions. The first will be a round-table discussion in Arbil, with a particular focus on the issue of federal — regional symmetries and asymmetries, and the second will be an expanded conference in Baghdad on federalism and hydrocarbon management.

16. In support of the ongoing institutional development of the Government of Iraq, UNAMI's Office of Constitutional Support continued to provide technical and legal advice to specific committees of the Council of Representatives on constitutional and legislative matters, including the Committee on Women's, Children's and Family Affairs, the Regions Committee, as well as serving as the co-chair of the international legislative round table, a forum for discussion and information exchange.

D. Electoral assistance activities

17. UNAMI supported the Independent High Electoral Commission and the Government of Iraq in the successful conduct of governorate council elections on 31 January 2009 in 14 governorates. Polling was conducted in an environment that was relatively free of violence and without any major security incidents. Preliminary estimates point to a voter turnout of 51 per cent of the approximately 15 million eligible voters, a figure that compares favourably with subnational election turnouts in other countries. These figures also indicate that Iraqi men and women from all communities participated in the process. On 28 January, in advance of the countrywide polling day, special procedures were put in place to enable the participation in the electoral process of approximately 600,000 eligible police officers and military personnel who would be on duty on the polling day, as well as hospital patients and detainees. The Iraq Electoral Commission announced the preliminary election results on 5 February and intends to certify the final results in late February, pending the adjudication of election-related complaints.

18. The Independent High Electoral Commission recruited and trained more than 260,000 staff, the vast majority coming from the Ministry of Education, to work in more than 7,000 polling centres and 42,000 polling stations throughout the country. This included polling stations to accommodate the approximately 63,000 eligible

internally displaced persons to vote by absentee ballot for their governorate of origin.

19. Just over 400 political entities and coalitions registered with the Iraq Electoral Commission, putting forth more than 14,000 candidates (of whom 3,912 were women) to contest 440 governorate council seats. Civil society engagement was strong; the Commission accredited more than 500,000 political agents and domestic observers to observe all aspects of the electoral process, including the polling, ballot count and tally.

20. A national security plan was developed by the Government of Iraq, which placed the Iraqi Security Forces in the lead for providing security for the elections. The plan was developed in coordination with the Iraq Electoral Commission. The fact that there was an almost complete absence of violence during the elections can to a large extent be attributed to the growing effectiveness of the Iraqi Security Forces.

21. Attesting to the improved stability in the country and the international community's ongoing commitment to the consolidation of democracy in Iraq, scores of international observers were deployed throughout the country, instilling further confidence in the electoral process. The League of Arab States and the Organization of the Islamic Conference sent observer missions, and the Independent High Electoral Commission accredited members of the diplomatic community operating in Iraq to observe the process. The European Union also deployed a small technical assessment team. UNAMI itself deployed 26 international staff outside Baghdad on polling day, and with the presence of national governorate liaison officers covered every governorate in the country on the polling day. My Special Representative himself visited polling centres in Ramadi, Najaf and Baghdad to demonstrate to the people and electoral officials of Iraq the commitment and support of the United Nations to the democratic process.

22. In the lead-up to the elections, UNAMI led the efforts towards addressing the issue of minority representation in the form of an amendment to the 2008 electoral law. The amendment was enacted to accommodate a total of six component seats in the Baghdad, Basrah and Ninawa governorates. The Iraq Electoral Commission, assisted by UNAMI, further regulated the formula for allocating seats to winning parties and candidates. UNAMI provided advice on how best to encourage representation of women in the governorate councils, consistently advocating the active engagement of women in politics.

23. During the reporting period, the Independent High Electoral Commission, assisted by UNAMI, also developed polling and counting procedures, formulated public and civil society outreach strategies and procured materials, including the final voter's lists and ballots. These activities were further supported by capacity-building programmes to ensure the training of the 260,000 staff recruited by the Electoral Commission. Together with partner organizations (the United Nations Development Programme (UNDP) and the United Nations Office for Project Services (UNOPS)), UNAMI also provided extensive assistance with drafting media regulations and policies on elections coverage.

24. In support of the electoral process, the public outreach unit of the Independent High Electoral Commission, backed by electoral assistance and public information officers from UNAMI and UNOPS, held dozens of civil and voter education events

for opinion leaders throughout the country to address a number of key election topics. These included anti-fraud measures, campaign rules and regulations and the voting procedures. These outreach efforts were supplemented by the activities of my Special Representative, who, in joint appearances with the Electoral Commission, announced the beginning of the electoral campaign, explained voting procedures and assured the public of the anti-fraud measures in place. UNAMI further hosted a briefing with the leaders of the political blocs in the Council of Representatives on these issues, counting procedures and the seat allocation formula.

25. In tandem, from 15 December to 19 January the Independent High Electoral Commission (pursuant to legal obligations under the Constitution and the Law on the Formation of Regions) also conducted the Basrah signature collection process as a first step in determining whether to proceed with a referendum in the governorate on forming its own region. The number of collected signatures came to 32,441, well short of the 140,000 signatures required to trigger a referendum. The Electoral Commission subsequently announced that it had rejected the petition on grounds of insufficient signatures.

E. Humanitarian assistance, reconstruction and development

26. Iraq's efforts to meet internationally agreed development targets, as set forth in the International Compact for Iraq, received recognition through the Paris Club's cancellation of Iraq's debt in December 2008. I warmly congratulate the Government of Iraq on this achievement. It augurs well for the country's continued social and economic development and its capacity to reach the Millennium Development Goals despite extraordinary challenges. The United Nations will continue to support this process through the good offices of my Special Adviser on the International Compact for Iraq.

27. To ensure that international support to the International Compact for Iraq complies as far as possible with Paris Declaration principles, the United Nations and the World Bank established an Iraq Partners Forum in November 2008. The Forum brings donors and the United Nations together to align their strategies for Iraq and towards the Compact for maximum transparency and impact. It will be critical to explore how the Compact can be leveraged for even more active international and regional cooperation.

28. In view of the expected closure of the International Reconstruction Fund Facility for Iraq/United Nations Development Group Iraq Trust Fund in the coming years, deliberations began on broader financial support for Iraq through the United Nations. As at 31 December 2008, the total commitments to the Trust Fund amounted to $1.36 billion and total deposits amounted to $1.33 billion. A total of 159 projects and joint programmes valued at $1.22 billion had been approved for funding as at 31 December 2008, including $15 million for humanitarian relief through the Expanded Humanitarian Response Fund.

29. The International Reconstruction Fund Facility for Iraq has been a central pillar of international assistance and is highly valued by the Government of Iraq. I appreciate the outstanding support, both financial and strategic, provided to the Facility through the international community, notably the European Commission and the Governments of Canada, Japan, Spain and the United Kingdom of Great Britain and Northern Ireland. To ensure that the gains made in transparency,

ownership and accountability of programmes are preserved, the United Nations has been requested to develop a coordination mechanism based on similar principles for bilaterally funded projects. Such a system will be critical to ensuring that the international response in Iraq remains strategically aligned and complementary. The Donor Committee of the Facility is likely to discuss this issue.

30. As the International Reconstruction Fund Facility for Iraq comes to a close, the centrality of the International Compact for Iraq as a vehicle to harmonize investments in Iraq has been strongly reinforced by international donors and the United Nations. Prime Minister Al-Maliki has led efforts to clarify Government development priorities under the Compact by requesting a full review and re-prioritization of Compact benchmarks. I also commend the momentum within Iraq to operationalize the Compact through inter-ministerial working groups established in the areas of the economy, governance, agriculture, health, education, energy and private sector development. Ministries have further been tasked to include measures to achieve Compact benchmarks within their budgets for 2009. These decisions have been welcomed by the Baghdad Coordination Group, co-chaired on 23 October by the Deputy Prime Minister of Iraq, Barham Saleh, and my Special Representative.

31. At the same time, the sharp decline in oil prices signals a difficult budget year in 2009. Iraq's fiscal reserves have been strained, undermining the ability of the Government to plan development investment. Several iterations of the 2009 federal budget produced in late 2008 reduced budget allocations for capital investment from $20 billion to $12 billion. The lack of private sector growth to compensate for oil revenues is likely to add to these challenges, in particular for Iraq's labour force. A Government survey released in November indicated that unemployment was rising among young men (15-34 years of age), currently at 28 per cent versus an 18 per cent national unemployment rate. Iraq's labour market currently cannot absorb one third of Iraq's job seekers. This calls for a comprehensive package of national reforms to restructure the budget, update legislative frameworks governing investments and stimulate local private enterprise.

32. Progress and imbalances in social service delivery were further highlighted by a comprehensive food security and vulnerability analysis conducted by the World Food Programme and the Government of Iraq and released in November 2008. The report found that one million Iraqis were food insecure and a further 6.4 million people would slide into food insecurity if not for safety nets, primarily the public distribution system. Areas of particular concern include southern Iraq, with high illiteracy rates (24 per cent versus a 17 per cent national average), high levels of child chronic malnutrition (22 per cent) and a drop out rate from the education system of 10 per cent. Electricity supply, while found to be stabilizing nationally, was least reliable in northern Iraq. The United Nations is strongly urging that targeted investments be made in areas consistently reporting poor humanitarian and development indicators, particularly in Maysan, Dhi Qar, Mosul, Dahuk and Sulaymaniyah, as well as those damaged by conflict-related violence and population movement.

33. Increasing emphasis has been on linking the programmatic responses more closely to the International Compact for Iraq in order to harmonize international investments in Iraq. The first major programme developed under the newly co-signed United Nations assistance strategy targeted the private sector and

economic benchmarks of the Compact. The private sector development programme, approved by the Iraq Strategic Review Board, in December 2008, will invest $32.8 million through seven United Nations organizations in key areas of economic reform. The establishment of a Government-led oversight body for this programme within the Prime Minister's office indicates a strengthening of the partnership between the Government of Iraq and the United Nations on critical strategic initiatives. Other initiatives in 2009 will likely follow a similar model.

34. To capitalize on the momentum of the launch of the assistance strategy by the Minister of Planning in the previous quarter, United Nations agencies, funds and programmes continued to increase the pace of activities in the country. The number of missions to Iraq quadrupled by the close of 2008 over 2007, including many to Iraq's governorates. Over the reporting period, detailed discussions were held on tailored United Nations support with governorate and regional officials in Arbil, Sulaymaniyah, Najaf and Ramadi. Of particular note was the presentation of the assistance strategy to Prime Minister Barzani and 18 members of the cabinet of the Kurdistan regional government by my Deputy Special Representative for Humanitarian, Reconstruction and Development Affairs and the United Nations country team.

35. I also welcome the growing number of senior staff missions from the wider United Nations system to gauge progress and oversee programming in Iraq. Their presence reflects the degree to which achievement of the United Nations mandate in Iraq is a system-wide priority at the highest level. In this regard, in November 2008 my Special Representative welcomed to Iraq for the second time the United Nations High Commissioner for Refugees, António Guterres. Together they travelled to Najaf and met with several political and religious leaders, including Grand Ayatollah Ali al-Sistani and Governor Assad Sulran Abu Gelal, to discuss steps towards ensuring sustainable return for displaced persons.

36. Despite progress on humanitarian issues throughout 2008, conditions for vulnerable and displaced Iraqis in general are still a concern. Security improvements have increased opportunities for United Nations relief programmes; however, implementation has been constrained because of limited funding (only 67 per cent of these programmes were funded as at December 2008). The 2009 consolidated appeal for Iraq and the subregion, launched on 19 November 2008, seeks to address this. Bringing a number of humanitarian organizations together across 12 countries to support Iraqis, it aims towards three objectives: to provide relief for those most vulnerable inside Iraq (including returnee families); to support Iraqi refugees in safety and dignity until return is possible; and to offer a platform for dialogue between Iraq and its neighbours on issues of common concern. The final appeal requests $192 million for activities inside Iraq and $355 million for activities outside Iraq, the latter to be coordinated by the Office of the United Nations High Commissioner for Refugees.

37. Several major coordinated field operations took place in Iraq during the reporting period. The Office for the Coordination of Humanitarian Affairs of the Secretariat and UNAMI coordinated a humanitarian response to attacks and acts of intimidation against Christians in the city of Mosul. Up to 2,500 families were displaced within Ninawa and to neighbouring Dahuk and Arbil Governorates. United Nations organizations, local and international non-governmental organizations and the Red Crescent and Red Cross responded swiftly and effectively

to address the needs of the displaced population, providing food, water and non-food items. A small number of the displaced fled to the Syrian Arab Republic and Turkey. To date, an estimated 2,400 families have returned to Mosul. The Government is providing financial assistance to returning and displaced families.

38. Returns of internally displaced persons and refugees continued over the reporting period, with nearly 40,000 returnee families registered in Iraq by the end of 2008. One of Iraq's largest camps for internally displaced persons closed in Najaf and 300 families were provided with compensation to resettle. While the trend in returns is positive, returnees are increasingly confronted with occupied homes and damaged properties. Orders of the Government of Iraq on property restitution (order 101) and grants for returnees (order 262) have gone some way to securing their legal rights in this regard. As at early November 2008, the property committee responsible for restitution of occupied properties to returnees has received 259 claims; 220 claims have been referred to the Baghdad operation centre and 209 evictions have been carried out, often by the Iraqi Security Forces. UNHCR has been strongly advocating for minimum use of force and appropriate humanitarian provisions for evicted families and has also noted that more needs to be done to ensure that the conditions for sustainable return are put in place and that the policy articulated in orders 101 and 262 is fully implemented. The United Nations stands ready to assist the Government of Iraq to reinforce recent gains so that displaced Iraqis can return in safety and dignity.

39. Cholera cases (an outbreak was first reported during the last quarter of 2008) were reported at a declining rate during the period under review. The Ministry of Health and the World Health Organization (WHO) confirmed a total of 925 cholera cases and 11 deaths as at 21 December 2008. United Nations agencies, led by WHO with support from non-governmental organizations, continued to reinforce Government disease surveillance and public containment efforts. The Government of Iraq welcomed the deployment of an international field mission led by WHO to affected governorates. WHO and the United Nations Children's Fund (UNICEF) also supported the Ministry of Health to implement polio national immunization days in October and November 2008. The campaigns reached nearly 5 million children under the age of five. Iraq has now been polio-free for eight consecutive years.

40. The United Nations has also increased its focus on promoting a good governance agenda, with particular emphasis on combating corruption and on reconciliation and justice. Work has begun on a comprehensive rule of law strategy for 2009 to coordinate with other actors and map Iraq's institutional capacity. UNDP continued its work to prepare the Government of Iraq for a full assessment and self-assessment of its compliance with the United Nations Convention against Corruption, in conjunction with the United Nations Office on Drugs and Crime. Officials from the Commission on Public Integrity, the Board of Supreme Audit, the Central Bank, the Central Organization of Statistics and Information and the Economic Committee of the Council of Representatives were trained to conduct a large-scale survey on corruption which would form the basis for the next phase of assessments.

41. Efforts to restore Iraq's essential services continued, with education and environmental issues a particular priority. Recent assessments conducted in Babil, Qadissiyah and Basrah reveal that only 31 per cent of households report reliable

access to safe drinking water during Iraq's ongoing drought conditions. In those same communities, less than 35 percent of all surveyed households have functional sanitary systems. The United Nations has continued to support the rehabilitation of water and sanitation facilities in several governorates leading to improved access for thousands of people, particularly in the south. Efforts are under way to develop solid waste management plans and strategies for the entire country. Ahead of the new school year, UNICEF, the United Nations Educational, Scientific and Cultural Organization and the World Bank worked with the Ministries of Education and Higher Education to modernize Iraq's education system. A long-term national education strategy for Iraq will be finalized by early 2009. During the reporting period, UNICEF and the United Nations Human Settlements Programme (UN-Habitat) also completed the rehabilitation of 182 schools benefiting over 108,500 students.

42. A major United Nations priority for 2009 will be to improve the conditions and rights of Iraqi women, who have yet to feel the full benefits of Iraq's improving situation. Several United Nations organizations have now joined forces to tackle gender-based violence in Iraq. Initiatives to improve women's access to justice, reform penal codes and increase access to community-based recovery services were led by the United Nations Population Fund (UNFPA), the United Nations Fund for Women and several non-governmental organizations. In an effort to reduce the unacceptably high rate of maternal deaths in Iraq (84 deaths per 100,000 live births), UNFPA and other agencies expanded support, training and materials for mother and child health centres to Iraq's more remote southern marshlands and northern districts.

F. Human rights activities

43. In recent months, Iraq witnessed gradual stabilization and further improvements in security conditions, with a lower number of violent, high-visibility, mass-casualty attacks by militias, insurgents and criminal gangs. Nonetheless, indiscriminate attacks by roadside, car or suicide bombs were almost a daily occurrence. A particularly troubling aspect was the frequent use of women, and occasionally even children, as suicide bombers. For example, a girl aged 13 blew herself up at a checkpoint in Ba'qubah on 10 November 2008. In addition, less visible grave and systematic human rights violations continue and their elimination requires political will, resources and long-term commitment. Three examples of such challenges are cases of reported ill-treatment and torture of detainees by some Iraqi law enforcement authorities, inadequate efforts to bring to justice perpetrators of past and current human rights abuses and cases of disregard for women's rights.

44. On the other hand, I am pleased to note progress towards ensuring the attainment of human rights for Iraqi citizens through the enactment by the Council of Representatives on 16 November 2008 of the law establishing an Independent High Commission for Human Rights. Its creation marks the culmination of two years of intense advocacy work by the UNAMI Human Rights Office and its partners in the international community. A role for UNAMI during the establishment and start-up phase of the Commission is enshrined in the law. I look forward to seeing the UNAMI Human Rights Office working with its Iraqi partners to make the Commission operational as soon as possible and to ensure that this process follows both the letter and spirit of the law while remaining free from political interference.

45. In the weeks leading up to the January provincial elections, some killings of political candidates and electoral workers were recorded. The most significant outbreak of violence in terms of numbers of people affected may well have been election-related too, as the displacement from Mosul of some 2,400 families, predominantly Christian, in late October 2008 appeared to have been a well-planned and systematic campaign, with a political rather than criminal motivation. Targeted killings or other types of attacks against journalists, educators, parliamentarians, humanitarian workers, judges, lawyers and members of minorities remained a worrying feature of the situation in Iraq. In the Kurdistan region, journalists were still subject to violent attacks, threats and lawsuits despite the entry into force of a liberal journalism law. Almost daily murders, alleged suicides and other suspected "honour crimes" were reported.

46. United States forces continue to release detainees in an effort to reduce the detention population. The original plan to transfer all United States detainees to Iraqi custody by 1 January 2009 had to be abandoned owing to a lack of space in Iraqi detention facilities and the inability of the Iraqi judicial system to process thousands of cases. Instead, the Iraqi authorities will review 1,500 cases per month while the United States forces retain physical custody of the detainees. Detainees for whom an Iraqi judge issues no arrest warrant will be released 30 days after the submission of the case file to the Iraqi authorities. As at 17 December 2008, the number of detainees in United States facilities in Iraq had dropped to 15,600 adult males and 58 minors. UNAMI welcomes all these arrangements as an opportunity to examine, clarify and regularize the legal status of many detainees.

47. Meanwhile the overall situation of detainees under Iraqi custody across the country, including in the Kurdistan region, remains of great concern. Many detainees have been deprived of their liberty for months or even years, often in poor conditions, without access to defence counsel or without being formally charged with a crime or brought before a judge. The continuing allegations of torture and ill-treatment of inmates by Iraqi law enforcement personnel remains a particular cause for concern. Pre-trial detainees in particular are subject to violence during the investigation phase to extort confessions. It remains important that the Iraqi authorities recognize that all detainees, including those previously under United States detention, must be afforded due legal process, treated humanely and protected from ill-treatment and torture, particularly now that Iraq has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

48. UNAMI's programmes of human rights promotion through training and capacity-building for the Government of Iraq and civil society continued in line with UNAMI's mandate. Workshops were held on the mainstreaming of human rights in the work of the Ministry of Defence and on anti-terrorism legislation. To mark the occasion of the sixtieth anniversary of the Universal Declaration of Human Rights on 7 December 2008 and express solidarity with the people of Iraq on human rights issues, my Special Representative was joined by the Iraqi Minister for Human Rights, members of the diplomatic community and Iraqi university students at a cultural event hosted at UNAMI headquarters in Baghdad.

G. Operational, logistic and security issues

49. During the reporting period, the General Assembly approved $5 million for work on the design of the UNAMI integrated headquarters in Baghdad, the construction of which remains essential for the continued delivery of our mandate in Iraq. In this connection, I have also received a letter from the Prime Minister of Iraq confirming the Cabinet's decision to allocate $25 million towards the compound, a contribution for which I am grateful to the Government of Iraq. Meanwhile, construction of the new accommodation and office buildings in the Arbil regional office are well advanced, with the first phase already completed, thereby allowing staff permanently deployed to the office to move from prefabricated accommodation to the new building. The new logistical facilities at the Baghdad International Airport are also nearing completion, with occupancy envisaged for early 2009. This will improve the operational readiness of the mission. UNAMI's mobility within the country has also been enhanced with the UNAMI dedicated aircraft now flying to Kirkuk and Mosul on a regular basis to support field deployments, in addition to Amman, Arbil, Kuwait and Baghdad.

50. Each of the key political events during the past quarter was marked by threats of violence against Government officials, the Iraqi Security Forces or the international military presence. That the majority of these threats were not realized could be interpreted as a further sign that militia and insurgent leaders are losing influence, or that their capability and resources are being depleted. However, the continued discovery of new and large weapons caches demonstrates that the intent to maintain a degree of military capability endures and this capability could still be unleashed at a future point in time.

51. Following the successful passage of the bilateral security agreement between the Governments of Iraq and the United States, the Iraqi Security Forces have officially assumed authority over the security environment in the International Zone. The capability and integrity of the Iraqi forces will be further tested, after a successful first step in delivering peaceful provincial elections, with the possibility of at least some insurgent groups trying to launch an attack inside the International Zone. Although the transfer of responsibilities will be gradual, the overall reduction in the role of the multinational force could begin to have an impact on the logistical and security resources available to support United Nations operations over the next six months. Meetings were therefore held with the Minister of Defence and with the United States Deputy Chief of Staff of the Joint Defense Staff and Commander of Green Zone Security Operations to discuss UNAMI security in the Green Zone and possible Iraqi defence force security for the mission.

52. The major religious event of the period, the Ashura commemoration of the death of Imam Hussein, was marred by violent attacks on pilgrims travelling to Baghdad and Karbala in the first week of January. Two mass-casualty attacks at the Imam Moussa al-Hussein Shrine in Baghdad in the lead-up to Ashura claimed the lives of over 50 pilgrims, with dozens of others killed or injured in roadside bombings or armed assaults in the same period. Intense security measures in place on the main day of Ashura ceremonies, 7 January, prevented any further significant attacks. However, Shia pilgrims were the target of several attacks on 11 February, which left at least 16 people dead, and on 13 February, which left 35 people dead, many of them women and children.

53. In the northern provinces of the Kurdish regional government, the security environment remained stable. Turkey has reportedly withdrawn a significant number of ground forces from the border areas of Dahuk and Arbil, but sporadic aerial bombardment continues. Most often these attacks do not hit populated areas. A similar scenario exists along the external border of Sulaymaniyah, where artillery fire from the Islamic Republic of Iran is periodically aimed at Kurdish Workers Party operations. Again, this activity rarely causes casualties, but it has displaced some rural communities. Tensions between the Iraqi Security Forces and Kurdish Peshmerga forces in northern Diyala and Ninawa have subsided, but may not be fully resolved until the broader underlying political issues affecting these areas are addressed. In Ba'qubah and Mosul, security forces continue to wage daily battles against a persistent insurgent element. Ninawa witnessed the least improvement in terms of the overall security environment, with violent incidents still numbering in the range of 300 to 400 per month.

54. Since the Iraqi Security Forces took responsibility for security in Al Anbar Governorate last September, they have been able to maintain a reasonably secure environment. Ramadi and the western reaches of the province are stable, but indications suggest Al-Qaida in Iraq is attempting a resurgence in Fallujah. In that city there has been a preponderance of large-scale suicide attacks, most frequently directed at security forces. It is in Fallujah that hostile groups were thought most likely to launch a direct attack on the provincial election process. Two schools intended to be used as polling centres were set ablaze in early January and election staff were reportedly harassed.

55. In the southern provinces there has been little shift in the prevailing security environment. There have been no major military operations, although an ongoing operation to interdict weapons smugglers in Maysan Province has led to sustained attacks against Iraqi Security Forces and the multinational force. The provincial elections prompted some politically motivated violence, mostly in the form of targeted assassinations against rival candidates.

56. The UNAMI Security Section is currently working with the Departments of Safety and Security, Political Affairs and Field Support of the Secretariat to create a new security operational plan to reflect the increasing pace of change in the security environment. The need for improved self-reliance in order to maintain a credible and robust security posture is also borne out by the ever increasing operational pace of the United Nations in Iraq. The first quarter of 2009 was very intensive in terms of complex missions conducted, particularly in support of the activities of the UNAMI Election Assistance Team and Political Affairs Office, with a 30 per cent increase over the same period in 2008.

57. UNAMI's provincial outreach has increased since the deployment of 11 national Governorate Liaison Officers in Ninawa, Salahaddin, Baghdad, Diyala, Hilla, Karbala, Najaf, Wasit, Qadisiyah, Muthanna and Dhi Qar Governorates. These staff will monitor the political, social, economic and humanitarian situation in their respective governorates. They will also liaise between the United Nations and governorate officials, civil society and representatives of political parties and promote concrete activities. A United Nations presence has been established in Ramadi during the reporting period and strengthened in Najaf, Basrah, Mosul and Kirkuk.

58. The ability to maintain the increased level of operations has been in part thanks to the assistance of military advisers provided by Member States. Their invaluable assistance in liaising with Iraqi and multinational forces remains essential to ensuring coordination of security and logistical support to United Nations staff, particularly for those tasked with travelling to the governorates to expand programme activities. I wish to thank the Governments of Australia, Denmark, Nepal, New Zealand, the United Kingdom and the United States for their contributions.

H. Agreements

59. Further to my letter dated 12 December 2008 to the President of the Security Council (S/2008/783), and to the President's reply of 16 December 2008 on behalf of the Council (S/2008/784), I proceeded to negotiate a new agreement with the Government of the United States setting out detailed arrangements concerning the continued provision by the United States forces of security support for the United Nations presence in Iraq. The negotiations were successfully concluded on 31 December 2008. As I observed in my letter of 12 December 2008 to the President of the Security Council, this new agreement was needed to replace the previous agreement of 8 December 2005 between the United Nations and the Government of the United States, which had ended on 31 December 2008 in accordance with its terms, following the entry into force of the bilateral security agreement between Iraq and the United States. The Government of Iraq was kept informed of the negotiation of the agreement between the United Nations and the United States and was provided with a copy of the text of the signed agreement.

IV. Observations

60. The successful holding of provincial elections on 31 January signifies an encouraging accomplishment for Iraq. I was delighted that millions of Iraqi people exercised their right to vote in an environment largely free of violence — a remarkable achievement in a country that has seen so much conflict in recent years. Iraq has come a long way in taking its own affairs in hand, this being the first fully Iraqi-led and Iraqi-owned electoral process.

61. On my recent visit to Baghdad, I congratulated the Iraqi people and political leadership on the successful outcome of the elections, and I commended the professionalism of both the Independent High Electoral Commission and the Iraqi Security Forces. Everyone I encountered strongly praised the role of UNAMI in supporting these well-prepared elections.

62. These elections represent an important turning point by yielding a more representative and inclusive political process at the local level. The onus is now on those who will take their seats in the governorate councils to engage in constructive political dialogue so that the benefits of the improved security situation can be turned into actions designed to deliver tangible benefits and essential services to the people of Iraq. Only if they witness greater accountability, efficiency and transparency will the Iraqi people feel that their votes made a difference.

63. In order to achieve lasting peace, I am hopeful that the Iraqi leaders will embrace this opportunity and build a positive momentum towards national dialogue and reconciliation. This will require all concerned to remain open to compromise and work together in a sprit of national unity. During my meetings in Baghdad, I was encouraged by statements made by a number of Iraqi political leaders indicating their willingness to play a constructive role in this process.

64. In the coming months, attention is likely to shift towards the issue of disputed internal boundaries and the status of Kirkuk. The groundwork being undertaken by UNAMI with key interlocutors in Baghdad and in the disputed areas remains a priority for the mission. The United Nations is committed to playing an impartial and neutral role towards building confidence and trust among the parties concerned, promoting dialogue and helping to forge a consensus. I strongly support the good offices of my Special Representative to accomplish these goals, in accordance with UNAMI's mandate and in full consultation with the Government of Iraq.

65. I also welcome the passage of a law by the Council of Representatives to establish the Independent Human Rights Commission. Only through a strong and robust Commission will the current concerns on human rights and the attainment of international standards in this area be achieved for the benefit of all Iraqi citizens. The United Nations remains committed to supporting the Government of Iraq's efforts to this end.

66. Iraq's current economic challenges will generate difficult choices for the Government in 2009. Public funding for much-needed reconstruction and development activities appears to be diminishing, and the concern is that this could make the delivery of essential services, the reduction of poverty and efforts to achieve the country's Millennium Development Goals more difficult. In a climate of improved security and a stronger sense of national responsibility, Iraqis are increasingly looking to their Government — at both the national and the provincial levels — to provide the rewards of recovery: jobs, clean water and streets, reliable electricity, better schools and adequate health care. The United Nations is committed to supporting the Government of Iraq as it endeavours to meet those needs.

67. I was pleased to meet the United Nations country team in Iraq during my mission to the region. I also welcome the expansion of the United Nations presence in Iraq since 2007, signifying a deeper engagement on humanitarian and development issues. The United Nations remains committed to supporting the people and Government of Iraq through key initiatives, including the International Compact for Iraq, the national assistance strategy and the consolidated appeals process. As the United Nations international presence expands, we should also acknowledge the excellent work of the hundreds of national staff inside Iraq. Their efforts have made an important contribution to improving the lives of ordinary Iraqis. I therefore encourage Member States to continue their support to United Nations agencies, funds and programmes operating in Iraq.

68. I am pleased that the ongoing efforts of the mission to move forward its expansion at locations in Basrah, Kirkuk, Najaf, Ramadi and Mosul continue. Consolidating logistical support and security arrangements in these locations will be vital over the coming year in order to deepen the United Nations outreach at the governorate level. UNAMI remains committed to increasing its self-reliance as the multinational forces draw down. I encourage Member States to continue to support

United Nations efforts to allow it to deliver on its mandate outlined in Security Council resolution 1830 (2008).

69. The implementation of the bilateral security agreement has not only strengthened Iraq's sovereignty by ending the mandate of the multinational forces under Security Council resolution 1546 (2004), but it has also demonstrated the growing capability of the Iraqi Security Forces to maintain law and order. While I am encouraged by the marked improvement in the security situation in the country, further steps need to be taken to bring to an end the sporadic and indiscriminate violence that continues to affect Iraq's civilian population.

70. It was with deep sadness that UNAMI experienced a further loss of life in November 2008. A large calibre rocket struck the United Nations interim accommodation facility in the International Zone, resulting in two support staff contracted by the United Nations being killed and another 15 injured. While there have been notable improvements in the overall security situation, the incident underscores the fact that United Nations staff members continue to live and operate in a potentially dangerous environment and remain a target of some groups. It is for this reason that staff security must remain a top priority.

71. I left Iraq on 6 February convinced that the expansion of UNAMI, and its greatly increased activities under resolution 1770 (2007), are welcomed developments. United Nations staff in Iraq were warmly praised by all my interlocutors for their work on electoral support, disputed internal boundaries, constitutional reform, human rights and humanitarian reconstruction and development assistance. A number of Iraqi leaders requested UNAMI and United Nations organizations to continue to increase their activities throughout the country.

72. As requested by the Security Council under resolution 1859 (2008), the United Nations is committed to preparing a report, after consultations with Iraq, on facts relevant for consideration by the Council on actions necessary for Iraq to achieve international standing equal to that which it held prior to the adoption of resolution 661 (1990).

73. I wish to express my sincere gratitude to my Special Representative for Iraq, Staffan de Mistura, for his energetic and committed leadership of the mission. I would like to pay tribute to the brave men and women of UNAMI and United Nations agencies, funds and programmes who have worked at great risk through extremely difficult periods to help the Iraqi people. I wish the Iraqi people and leaders well in consolidating their security gains and moving on to address the many political, economic and social challenges still facing the country.